[Mr. S. Krishna Aiyar.]

MR. S. SUBRAHMANYA KARAYALAR (*Pattanapuram* cum *Shencottah*): I should like to know why the Government should not be satisfied with 10 per cent. of the tax as a penalty for non-payment at the proper time.

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): That is very clear from the Regulation and the Rules.

MR. S. SUBRAHMANYA KARAYALAR (*Pattanapuram* cum *Shencottah*): But, sometimes, in rare cases, they are obliged to pay a penalty equal to the tax originally imposed. Cannot the Government be satisfied with 10 per cent. of the tax as a penalty?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): That is the provision under the Rules.

Basis for assessing Income Tax.

63. MR. S. SUBRAHMANYA KARAYALAR (*Pattanapuram* cum *Shencottah*): Is it a fact that income tax during a particular year is calculated and realised only during the course of the next year in British India, and, if so, will the Government be pleased to adopt similar rules in Travancore also to avoid the several difficulties incidental to the present system of calculating the income tax of a particular year on the basis of the accounts of the previous year?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): No. Under the provisions of the Indian Income Tax Act, XI of 1922, income tax due from an assessee in any particular year is assessed once for all on his income of the previous year, and recovered accordingly, obviating the necessity for a provisional assessment and thereafter a subsequent adjustment. Similar provisions have been embodied in the Income Tax Regulation Amendment Bill that has been introduced in this Council.

Verification of certain facts re. A. S. No. 419 of 1094 of the High Court.

64. MR. S. KRISHNA AIYAR (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to verify and affirm the facts of the following case?

A. S. No. 419 of 1094 of the High Court from O. S. No. 84 of 1090 of the Kottayam District Court.

(*a*) Date of remand order of the High Court ...	23-5-1090.
(*b*) Date on which the remand order was received from the High Court in the Kottayam District Court ...	4-6-1099.
(*c*) Application for a copy of the remand order in the Kottayam District Court ...	1-11-1097.
(*d*) Note by Record Keeper ...	Records not yet received.
(*e*) Petition rejected ...	30-6-1096.

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